

**(1) Real Party in Interest**

Adternity, Inc., is the real party in interest by way of assignment from Michael B. Graham, John A. Woffington IV, and Steven P. Wolf, recorded on reel 012827, frame 0659.

**(2) Related Appeals and Interferences**

Appellants and Appellants' representative are not aware of any other appeal or interference that will directly affect, would be directly affected by, or would have a bearing on the Board's decision in the instant appeal.

**(3) Status of the Claims**

Claims 33-49 and 64-70 are pending.

Claims 1-32 and 50-63 have been cancelled.

Appellants are appealing the rejections of claims 33-49 and 64-70.

Claims 33-37, 42, 44-49 and 64-70 stand rejected as being allegedly obvious over U.S. Patent No. 6,764,395 ("Guyett") in view of U.S. Patent App. Pub. No. 2003/0191690 ("McIntyre").

Claims 38-41 and 43 stand rejected as being allegedly obvious over Guyett in view of McIntyre, in further view of U.S. Patent No. 5,679,075 ("Forrest").

**(4) Status of Amendments**

In an After-Final Amendment submitted January 8, 2007, Appellants amended the abstract and cancelled claims 2-7, 10-13, 15-20, and 23-32.

In an Advisory action having a mailing date of February 5, 2007, the Office indicated that the amendments submitted by Appellants on January 8 would be entered for purposes of appeal.

**(5) Summary of the Claimed Subject Matter**

On appeal, the claims are directed to a computerized method for measuring a consumer's perception of a commercial entity's brand equity, logo, trademark, tradename, tag line, product name and the like, comprising the steps of: (a) providing a